## APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

HERETOFORE APPRO	PRIATED
Date of filing in State Engineer's Office	NEW PRIORITY DATE: -MAY-29-1998- JUL 15 2003
Returned to applicant for correction	JUL 01 1998
Corrected application filed	SEP 01 1998
Map filed	AUG 28 1998 under 64173
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The applicant JELINDO A. TIBERTY II AND make application for permission to change the POIN AND PLACE OF USE OF A PORTION of water heretoe 61403	IT OF DIVERSION, MANNER OF USE,

- 1. The source of water is UNDERGROUND
- 2. The amount of water to be changed 0.4 ACRE-FEET, 0.0057 CFS
- 3. The water to be used for COMMERCIAL
- 4. The eater heretofore permitted for IRRIGATION
- 5. The water is to be diverted at the following point SW $\frac{1}{4}$  SW $\frac{1}{4}$  SECTION 2, T20S, R53E, MDB&M OR AT A POINT FROM WHICH THE SW CORNER OF SAID SECTION 2 BEARS SOUTH  $70^{0}$  18' WEST, 485 FEET

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- 6. The existing permitted point of diversion is located within NW4 NE4 SECTION 27, T19S, R53E, MDB&M, OR AT A POINT FROM WHICH THE NE CORNER OF SAID SECTION 27 BEARS NORTH 72 29 20 EAST, 2111.13 FEET
- 7. Proposed place of use  $SW^{\frac{1}{4}}$  SECTION 2, T20S, R53E, MDB&M, LYING WITHIN PARCEL 123 OF SURVEY MAP FILE NO. 84280, RECORDS OF NYE COUNTY, NV
- 8. Existing place of use WITHIN THE No NET SECTION 28, T19S, R53E, MDB&M
- 9. Use will be from  ${\tt JAN}\ 1$  to  ${\tt DEC}\ 31$  of each year.
- 10. Use was permitted from JAN 1 to DEC 31 of each year.
- 11. Description of proposed works DRILLED WELL, PUMP, ELEC. MOTOR
- 12. Estimated cost of works \$6000
- 13. Estimated time required to construct works 6 MO.
- 14. Estimated time required to complete the application of water to beneficial use 2 VR.
- 15. Resarks:

	OF APPLICANT TO COMPLY WITH THE PROVISIONS OF
Protested	MIM 2.0.9002
Compared my/ Cms hs/bk	
	By DONALD JARAGOSKY s/Donald Jaragosky P.O. BOX 550 PAHRUMP, NV. 89041

Can. Rescinded 9-11-03

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## OF STATE ENGINEER APPROVAL

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use, and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 61403 is issued subject to the terms and conditions imposed in said Permit 61403 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the mast to before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right. (CONTINUED ON PAGE 3)

Page 3 of 3
(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.001 cubic feet per second, but not to exceed 0.40 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 9, 2001

Proof of completion of work shall be filed before:

April 9, 2001

Water must be placed to beneficial use on or before:

March 9, 2003

Proof of the application of water to beneficial use shall be filed on or before:

April 9, 2003

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

Completion of work filed

Proof of beneficial use filed

Cultural map filed

N/A

Certificate No.

Issued

